

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

AUTO EQUITY LOANS OF	:	Civil No. 1:19-CV-1590
DELAWARE, LLC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
JOSH SHAPIRO, in his official	:	
capacity as Attorney General for the	:	
Pennsylvania Commonwealth,	:	
	:	
Defendant.	:	Judge Sylvia H. Rambo

ORDER

Before the court is Defendant’s Motion for Judgment on the Pleadings. (Doc. 40.) For the reasons outlined in the accompanying memorandum, the motion is **DENIED**.

The parties are also **ORDERED** to each move for partial judgment on the pleadings on the only ripe question currently before the court—the pure legal question raised in Plaintiff’s First Amended Complaint as to the constitutionality of “the Attorney General’s [] attempt to investigate purported violations of Pennsylvania law” (Doc. 9, p. 11) by “Delaware-based business activities” (Doc. 16, pp. 7-8 (quoting Doc. 13, p. 14)). While there is almost certainly going to be a factual dispute as to whether Defendant actually engaged in conduct constituting activity “in” Pennsylvania, this question is not to be presented before the court in the

12(c) briefing; Plaintiff's position has consistently been that the "attempt to investigate" Plaintiff is itself unconstitutional and essentially a pure question of law.

The parties are **ORDERED** to submit their first briefing **TWENTY-ONE DAYS FROM ENTRY OF THIS ORDER**. All manner of briefing shall comply with the Federal Rules of Civil Procedure and the Middle District of Pennsylvania Local Rules. Because this order, and the parties' earlier briefing, demonstrate the case can move forward substantively absent any further discovery at this time, the court will not hold a discovery conference until this pure question of law is resolved. Should the parties desire to move forward with discovery while simultaneously briefing this matter, they should confer on the matter and submit an additional request for a discovery conference with the court.

/s/ Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: January 26, 2021